

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FT. LAUDERDALE DIVISION**

Case No.:

TAMMY WILLIAMS,

Plaintiff,

vs.

DOLGENCORP, LLC d/b/a
DOLLAR GENERAL,

Defendant.

_____ /

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. Section 1446, Defendant DOLGENCORP, LLC d/b/a DOLLAR GENERAL STORES (improperly named DOLGENCORP, LLC d/b/a DOLLAR GENERAL), hereby removes this action from the Circuit Court of the Seventeenth Judicial Circuit, in and for Broward County, Florida to the United States District Court for the Southern District of Florida, Ft. Lauderdale Division, and states:

1. On May 10, 2022, Plaintiff TAMMY WILLIAMS filed a Complaint¹ in the Circuit Court of the Seventeenth Judicial Circuit, in and for Broward County, Florida, Case No. CACE-22-006759, naming DOLGENCORP, LLC d/b/a DOLLAR GENERAL as Defendant (hereinafter the “State Civil Action”).

2. On May 25, 2022, Defendant was served with the Complaint through service of its registered agent, Corporation Service Company. Copies of all process and pleadings in said action are attached hereto in accordance with 28 U.S.C. Section 1446, as **Exhibit A**.

3. Pursuant to the allegations of her Complaint, Plaintiff, TAMMY WILLIAMS, is and was at all times relevant hereto, including at the time of the commencement of the State Civil Action and this filing, a citizen of the State of Florida.

¹ An Amended Complaint was filed on May 23, 2022 to purportedly correct a scrivener’s error in the location and date of incident alleged in the Complaint.

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4. Defendant is and was at all times relevant hereto, including at the time of the filing of this Notice of Removal and the commencement of the State Civil Action, a Limited Liability Company registered in the Commonwealth of Kentucky with its principal place of business in Goodlettsville, Tennessee, and whose sole member is incorporated in the State of Tennessee with its principal place of business in Goodlettsville, Tennessee. *See* Articles of Organization of DOLGENCORP, LLC, filed with the Commonwealth of Kentucky on October 9, 2008, attached hereto as **Exhibit B**. *See also* 2022 Annual Report of DOLGENCORP, LLC, filed with the Florida Secretary of State, attached hereto as **Exhibit C**.

5. For purposes of diversity jurisdiction, “a limited liability company is a citizen of any state of which a member of the company is a citizen.” *Flintlock Const. Servs., LLC v. Well-Come Holdings, LLC*, 710 F.3d 1221, 1224 (11th Cir. 2013) (citing *Rolling Greens MHP, L.P. v. Comcast SCH Holdings L.L.C.*, 374 F.3d 1020, 1022 (11th Cir. 2004)).

6. Accordingly, this action is one over which this Court has original jurisdiction pursuant to the provisions of 28 U.S.C. § 1332 (a)(1), and is one that may be removed to this Court pursuant to 28 U.S.C. § 1441(a). Diversity of citizenship exists.

7. Plaintiff has alleged in her Complaint an action for damages in excess of \$30,000.00. Plaintiff has made a pre-suit demand in excess of \$75,000, exclusive of interest and costs. Based upon the foregoing, the amount in controversy exceeds \$75,000.00, exclusive of interest and costs.

8. This Notice of Removal is filed within thirty (30) days after Defendant received a copy of Plaintiff's Complaint on or about May 25, 2022, as required by 28 U.S.C. § 1446(b).

9. A copy of this Notice of Removal will simultaneously be filed with the Clerk of Courts for the 17th Judicial Circuit, in and for Broward County, Florida, and served upon other counsel of record pursuant to 28 U.S.C. § 1446(d).

WHEREFORE, Defendant DOLGENCORP, LLC d/b/a DOLLAR GENERAL STORES (improperly named DOLGENCORP, LLC d/b/a DOLLAR GENERAL), gives notice of the removal of this action from the 17th Judicial Circuit, in and for Broward County, Florida, to the United States District Court for the Southern District of Florida, Ft. Lauderdale Division.

/s/Michelle Sanchez Vargas

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing was electronically filed on this 31st day of May, 2022, via the Florida E-Filing Portal in the United States District Court for the Southern District of Florida, by using the CM/ECF system which will send a notice of electronic filing to: Evan R. Krakower, Esq. and David A. Tabb, Esq., Evan R. Krakower, P.A., 10061 NW 1st Court, Plantation, Florida, 33324, evanrkrakowerpa@yahoo.com.

/s/**Michelle Sanchez Vargas**

MICHELLE SANCHEZ VARGAS